

GOVERNMENT NOTICE No. 496 published on 14/12/62

LG. 81031

THE LOCAL GOVERNMENT ORDINANCE
(CAP. 333)

INSTRUMENT

ESTABLISHING THE MUSOMA TOWN COUNCIL

Under section 4

THE LOCAL GOVERNMENT (MUSOMA TOWN COUNCIL)
INSTRUMENT, 1962

WHEREAS, I, JOB MARECELA LUSINDE, Minister for Local Government and Administration, am satisfied from inquiries I have made and caused to be made that there is among the inhabitants of and residents in the area set out in the Schedule to this Instrument a general wish that the Town Council established by this Instrument should be established:

NOW THEREFORE, I, the said JOB MARECELA LUSINDE, in exercise of the powers conferred upon me by section 4 of the Local Government Ordinance, and with the prior approval of the National Assembly signified by resolution do hereby make the following Instrument:—

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| Short title | 1. This Instrument may be cited as the Local Government (Musoma Town Council) Instrument, 1962. |
| Interpretation | 2. In this Instrument unless the context otherwise requires—
“the Council” means the Musoma Town Council established by clause 3 of this Instrument; |
| Cap. 333 | “the Ordinance” means the Local Government Ordinance. |
| Establishment of Council | 3. There is hereby established, as from the first day of January, 1963, a Town Council to be known as “Musoma Town Council”. |
| Area under the jurisdiction of the Council | 4. The area under the jurisdiction of the Council is the area set out in the Schedule hereto which is hereby declared to be a township and shall be known as “Musoma Township”. |
| Persons in respect of whom functions exercisable | 5. The functions of the Council shall be exercisable in respect of all persons in the area under its jurisdiction. |

6. The seal of the Council shall be the following device:—

G.N. No. 496 (contd.)
Seal



Provided that until such time as a seal capable of reproducing such device can be procured, a rubber stamp bearing the inscription "Musoma Town Council" may be used in lieu of such seal.

7. The Council shall consist of the Medical Officer of Health, Musoma, the District Engineer, Musoma, and not less than eighteen nor more than twenty-one other members to be appointed by the Minister.

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8. All appointed members of the Council shall be appointed for a period of two years and shall then retire.

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9. The Chairman and Vice-Chairman shall be elected by the Council pursuant to the provisions of section 15 of the Ordinance and sub-rule (3) of rule 2 of the Town Council Rules and shall hold office for one year.

Term of office of Councillors

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10. The offices of the Council shall be situated in the Musoma Township.

Provisions as to Chairman and Vice-Chairman
Offices of the Council

11. In addition to those functions conferred upon the Council by the Ordinance or by any other law for the time being in force the Council—

Functions

- (i) shall perform all the functions specified in paragraphs (18), (21), (22), (47), (48), (61), (64), (69), (77), (85), (103), (124) of section 52 (1) of the Ordinance;
- (ii) shall convey and bury all unclaimed corpses;
- (iii) may prohibit and shall restrict and regulate the construction, alteration, alignment and elevation of all buildings and other structures and of parts thereof, and compel the demolition, removal, repair or rendering safe of any building, structure or part thereof which, in the opinion of the Council, is dangerous or unfit for occupation for structural or sanitary reasons or which otherwise constitutes a nuisance and may provide for the doing of any such work as aforesaid at the cost of the owner or occupier and for recovering such costs;
- (iv) shall maintain all public highways from time to time classified under the provisions of section 13 of the Highways Ordinance as district roads in the area of jurisdiction of the Council, and the bridges, culverts, drains and water courses appertaining thereto;
- (v) may maintain any roads, streets, footpaths, bridges, squares, sewers, drains and culverts which have usually been maintained in whole or in part out of public funds prior to the date hereof and which may be placed under its control by the Minister;
- (vi) may make and maintain new roads, streets, bridges, squares, sewers, drains, culverts and open spaces;

G.N. No. 496 (contd.)

- (vii) may close any road, street or footpath which it is empowered to maintain for such period as may be necessary to enable the maintenance or repair thereof to be executed;
- (viii) may close, divert or alter any road, street, or footpath, and may close or alter any square or other open public place and any garden, park or enclosed space under its control, subject to the condition that the Council shall, in the exercise of such powers, be subject to any conditions and restraints which may be prescribed by regulations made under section 148 of the Ordinance;
- (ix) may prohibit temporarily and regulate the use of streets;
- (x) may perform all or any of the functions specified in paragraphs (4), (5), (7), (9), (11), (13), (14), (15), (19), (23), (25), (26), (27), (28), (29), (30), (31), (33), (34), (35), (36), (37), (38), (39), (40), (41), (42), (43), (44), (45), (49), (50), (51), (52), (53), (54), (56), (57), (59), (62), (63), (65), (66), (67), (68), (70), (72), (73), (75), (79), (80), (81), (82), (83), (84), (86), (87), (88), (90), (91), (93), (94), (96), (100), (101), (102), (109), (110), (113), (114), (115), (116), (117), (122), (125), (126), (127), (128), (129), (131), (132), (133), (134), (135), (136), (137), (138), (139), (140), (142), (145), (146), (147), (148), (149), (151), (153), of section 52 (1) of the Ordinance;
- (xi) may prohibit, regulate and control the cultivation or possession of poisonous or noxious plants;
- (xii) may regulate and control the keeping, movement and grazing of any livestock;
- (xiii) may regulate the amount of open space in the front, at the rear and at the side of any dwelling house, or of any residential or public building;
- (xiv) may establish, erect, equip and maintain social or welfare centres and public libraries;
- (xv) may arrange or conduct funerals, burials or cremations and otherwise provide undertaking facilities;
- (xvi) may provide services and prescribe steps to be taken for the prevention, control or relief of famine, including relief works and the provision of seed;
- (xvii) may prohibit, regulate and control the discharge of firearms;
- (xviii) may provide for the control, regulation, inspection, supervision, licensing, suspension and closing of—
 - (a) social halls, dance halls and places of entertainment;
 - (b) lodging and eating houses;
- (xix) may establish and maintain plant nurseries;
- (xx) may regulate and control laundries;
- (xxi) may execute work directed by any by-law of the Council to be executed by any person and not executed by him, and may recover from such person any expense incurred by the Council in the execution of such work;
- (xxii) may control, regulate or restrict the exhumation of corpses;
- (xxiii) may operate for hire any machinery, vehicle or appliance;
- (xxiv) may carry out any work on any land at the request of the owner or occupier thereof;
- (xxv) may take measures for the promotion of tourism;
- (xxvi) may establish, erect, equip, maintain, regulate and control hostels for travellers;

- (xxvii) may make payments in accordance with the Local Government (Expenses) Regulations, to the chairman, vice-chairman, or any member of the Council in respect of expenses incurred by them in the performance of their duties as chairman, vice-chairman or member as the case may be;
- (xxviii) may perform any function conferred by any notice, order, rule or by-law made under the Townships Ordinance or the Markets Ordinance upon any Township Authority having jurisdiction in the area of the Council at the time when the township for which such Township Authority was constituted became the area or part of the area of the Council.

SCHEDULE

Commencing at a point on the lake shore which lies approximately 900 feet south-west of the Area Commissioner's house, the boundary runs on a bearing of approximately 193 degrees for a distance of approximately 360 feet to Boundary Pillar 1 on the top of a high hill; thence on the same bearing for a distance of approximately 2,230 feet to Boundary Pillar 2; thence on a bearing of approximately 184 degrees for a distance of approximately 5,260 feet to Boundary Pillar 3; thence on a bearing of approximately 90 degrees for a distance of approximately 6,750 feet to Boundary Pillar 4; thence on a bearing of approximately 12 degrees for a distance of approximately 2,560 feet to a point on the lake shore; thence along the lake shore round the Musoma peninsula to the point of commencement, as shown delineated in red on Plan No. D¹¹ 162 deposited with the Survey Division of the Ministry of Lands, Forests and Wildlife.

Made by the Minister for Local Government and Administration at Dar es Salaam this thirtieth day of November, 1962.

J. M. LUSINDE,
*Minister for Local Government and
Administration*

Approval of the making of the above Instrument was signified by resolution of the National Assembly on the twenty-sixth day of November, 1962.

G. W. Y. HUCKS,
Clerk of the National Assembly

GOVERNMENT NOTICE No. 497 published on 14/12/62

LG. 81061

THE LOCAL GOVERNMENT ORDINANCE

(CAP. 333)

INSTRUMENT

ESTABLISHING THE MTWARA-MIKINDANI TOWN COUNCIL

Under section 4

THE LOCAL GOVERNMENT (MTWARA-MIKINDANI TOWN COUNCIL)
INSTRUMENT, 1962

WHEREAS, I, JOB MARECELA LUSINDE, Minister for Local Government and Administration, am satisfied from inquiries I have made and caused to be made that there is among the inhabitants of and residents in the area set out in the Schedule to this Instrument a general wish that the Town Council established by this Instrument should be established: